

JS 44 (Rev. 11/07)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

Michael Benson Sparlin and Sharon Jeanette Sparlin

(b) County of Residence of First Listed Plaintiff Pima County, Arizona
(EXCEPT IN U.S. PLAINTIFF CASES)

DEFENDANTS

Countrywide Home Loans, Inc., BAC Home Loan Servicing, LP, Bank of America, NA, Mortgage Electronic Registration Systems, Inc., Recontrust Company, NA, Bryan Cave LLP, Michael B. Dvoren, Esq., and Coree E. Neumeyer, Esq.

County of Residence of First Listed Defendant Los Angeles County, CA
Attorneys (If Known) Attorneys for Defendants: Robert W. Shely, Esq. (#014261), Coree E. Neumeyer (#025787), Michael B. Dvoren, Esq. (#027386), Bryan Cave LLP, Two North Central Avenue, Suite 2200, Phoenix, AZ 85004-4406; (602) 364-7000

II. BASIS OF JURISDICTION

(Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES

(For Diversity Cases Only)

(Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT

(Place an "X" in One Box Only)

CONTRACT	TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/ Commodities/ Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input checked="" type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/ Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS - Third Party 26 USC 7609	

V. ORIGIN

(Place an "X" in One Box Only)

- ☐ 1 Original Proceeding
- ☒ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from another district (specify)
- ☐ 6 Multidistrict Litigation
- ☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTIONCite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): 28 U.S.C. § 1331

Brief description of cause: Purported causes of action based on alleged violations of the Garn St. Germain Depository Institutions Act of 1982, 12 U.S.C. § 1701j-3(d)(8), the Truth in Lending Act, 15 U.S.C. § 1601 et seq., the Federal Debt Collection Practices Act, 15 U.S.C. § 1692 et seq., and the Real Estate Settlement Procedures Act, 12 U.S.C. § 2601 et seq., as well as alleged violations of Arizona state statutes.

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND: \$

CHECK YES only if demanded in complaint:

JURY DEMAND:

☒ YES ☐ NO**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE: Frank R. ZapataDOCKET NUMBER: 4:10-cv-00503-FRZ

DATE

SIGNATURE OF ATTORNEY OF RECORD

June 21, 2011**/s/ Michael B. Dvoren**

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

**SUPPLEMENTAL CIVIL COVER SHEET
FOR CASES REMOVED FROM ANOTHER JURISDICTION**

This form must be attached to the Civil Cover Sheet at the time
the case is filed in the United States District Clerk's Office.

Additional sheets may be used as necessary.

1. Style of the Case:

Please include all Plaintiff(s), Defendant(s), Intervenor(s), Counterclaimant(s), Crossclaimant(s) and Third Party Claimant(s) still remaining in the case and indicate their party type. Also, please list the attorney(s) of record for each party named and include their bar number, firm name, correct mailing address, and phone number (including area code).

<u>Party</u>	<u>Party Type</u>	<u>Attorney(s)</u>
Michael Benson Sparlin Sharon Jeanette Sparlin	Plaintiff	Pro Per
Countrywide Home Loans, Inc.	Defendant	Robert W. Shely (#014261) Coree E. Neumeyer (#025787) Michael B. Dvoren (#027386) Bryan Cave LLP Two North Central Avenue Suite 2200 Phoenix, AZ 85004-4406 (602) 364-7000
BAC Home Loans Servicing, LP	Defendant	Same as above.
Bank of America, N.A.	Defendant	Same as above.
Mortgage Electronic Registration Systems, Inc.	Defendant	Same as above.
Recontrust Company, N.A.	Defendant	Same as above.
Bryan Cave LLP	Defendant	Same as above.
Michael B. Dvoren, Esq.	Defendant	Same as above.
Coree E. Neumeyer, Esq.	Defendant	Same as above.

2. Jury Demand:

Was a Jury Demand made in another jurisdiction? X * Yes No

* Plaintiffs requested a trial by jury in the Complaint but did not comply with Arizona Rule of Civil Procedure 38(b) which requires that a jury demand be separately filed and served.

If "Yes," by which party and on what date?

Plaintiffs

June 13, 2011

3. Answer:

Was an Answer made in another jurisdiction? _____ Yes X No

If "Yes," by which party and on what date?

4. Served Parties:

The following parties have been served at the time this case was removed:

<u>Party</u>	<u>Date Served</u>	<u>Method of Service</u>
Countrywide Home Loans, Inc.	June 14, 2011	Personal
BAC Home Loans Servicing, LP	June 14, 2011	Personal
Bank of America, N.A.	June 14, 2011	Personal
Michael B. Dvoren, Esq.	June 14, 2011	Personal
Coree E. Neumeyer, Esq.	June 14, 2011	Personal
Bryan Cave LLP	June 16, 2011	Personal

5. Unserved Parties:

The following parties have not been properly served at the time this case was removed:

<u>Party</u>	<u>Reason Not Served</u>
Mortgage Electronic Registration Systems, Inc.	Unknown
Recontrust Company, N.A.	Unknown

6. Nonsuited, Dismissed or Terminated Parties:

Please indicate changes from the style of the papers from another jurisdiction and the

reason for the change:

<u>Party</u>	<u>Reason for Change</u>
N/A	

7. Claims of the Parties:

The filing party submits the following summary of the remaining claims of each party in this litigation:

<u>Party</u>	<u>Claim(s)</u>
Michael Benson Sparlin, Plaintiff	Alleged violations of the Garn St. Germain Depository Institutions Act of 1982, 12 U.S.C. § 1701j-3(d)(8), the Truth in Lending Act, 15 U.S.C. § 1601 et seq., the Federal Debt Collection Practices Act, 15 U.S.C. § 1692 et seq., the Real Estate Settlement Procedures Act, 12 U.S.C. § 2601 et seq.; quiet title, alleged violations of the Arizona debt collection and consumer protection statutes (statue(s) not cited in the Complaint), alleged violations of a private third party contract (pooling and servicing agreement), breach of contract (deed of trust), violations of various Arizona statutes, negligence, and alleged lack of standing.
Sharon Jeanette Sparlin, Plaintiff	Same as above.
Countrywide Home Loans, Inc.	N/A
BAC Home Loans Servicing, LP, Defendant	N/A
Bank of America, NA, Defendant	N/A
Mortgage Electronic Registration Systems, Inc., Defendant	N/A
Recontrust Company, NA, Defendant	N/A
Bryan Cave LLP, Defendant	N/A
Michael B. Dvoren, Esq., Defendant	N/A
Coree E. Neumeyer, Esq., Defendant	N/A

Pursuant to 28 U.S.C. § 1446(a) a copy of all process, pleadings, and orders served in another jurisdiction (State Court) shall be filed with this removal.